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4-23-02

In re Application of  
Attty. Docket

PAUL RANKIN ET AL

GB000049

Serial No. 09/829,091

Group Art Unit: 2152

Filed: APRIL 9, 2001

Title: MESSAGE DELIVERY SYSTEM

Commissioner for Patents, Washington, D.C. 20231

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Technology Center 2100

**REQUEST UNDER RULE 1.8(b) TO CONSIDER EXECUTED DECLARATION  
AS TIMELY FILED**

Sir:

The Applicants request that the Patent and Trademark Office enter the executed Declaration that was previously mailed to the Patent and Trademark Office with a valid Certificate of Mailing on July 31, 2001 and consider the Declaration as timely filed on July 31, 2001. A Notice of Incomplete Reply was received from the Patent and Trademark Office on July 27, 2001 (attached as Exhibit 1) that states in effect that the Patent and Trademark Office never received the executed Declaration. It is submitted that the executed Declaration was timely mailed to the Patent and Trademark Office on July 31, 2001 in response to a Notice to File Missing Parts mailed on June 5, 2001 (attached as Exhibit 2). A copy of the Response to Notice to File Missing Parts mailed on June 5, 2001 and a copy of the Executed Declaration are (attached as Exhibit 3).

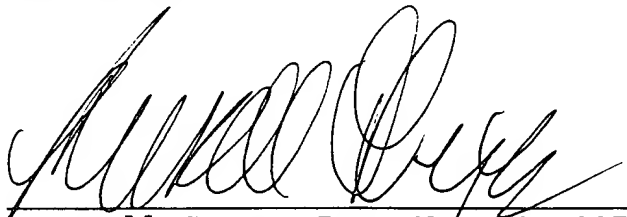
The acknowledgment of receipt postcard (see, Exhibit 4)

bears a Patent and Trademark Office mailroom stamp imprinted on it indicating that the documents were received by the Patent and Trademark Office mailroom on August 3, 2001.

It is respectfully requested that the Response to Notice to File Corrected Application Papers that was mailed on July 31, 2001 be considered timely received and that the status of the above-identified application be changed from incomplete to complete.

Accordingly, it is requested that the Notice of Incomplete Reply be withdrawn, the response mailed on July 31, 2001 be entered, and the status of the above-identified application be changed from incomplete to complete.

In the event that there are any difficulties regarding this matter, it is requested that the undersigned be contacted at the telephone number indicated below.

A handwritten signature in black ink, appearing to read 'Russell Gross', is written over a horizontal line.

Russell Gross, Reg. No. 40, 007  
Attorney  
(914) 333-9631

Enclosures: Exh. 1: Copy of July 27, 2001 Notice of  
Incomplete Reply  
Exh. 2: Copy of June 5, 2001 Notice to File  
Missing Parts  
Exh. 3: Copy of July 31, 2001 Response to  
Notice to File Corrected Application  
Papers and executed Declaration  
Exh. 4: Copy of acknowledgment of receipt  
postcard

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited this date  
with the United States Postal Service as first-class mail in an envelope addressed to:  
COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

On November 7, 2001

By Edna Chapa



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	09/829,091	FILED/RECEIPT DATE	04/09/2001	FIRST NAMED APPLICANT	Paul J. Rankin	ATTORNEY DOCKET NUMBER	PHGB 000049
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CONFIRMATION NO. 1787

Jack E. Haken  
U.S. Philips Corporation  
580 White Plains Road  
Tarrytown, NY 10591

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FORMALITIES LETTER



\*06000000006350435\*

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Date Mailed: 07/27/2001

## NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

## Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 06/21/2001 to the Notice to File Missing Parts (Notice) mailed 06/05/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

- The oath or declaration is unsigned.
- Late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 was not received.
- The balance due by applicant is \$ 130.

*A copy of this notice MUST be returned with the reply.*

*Humanos*  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

DOCKETED	DATE	INITIAL
COMPUTER	PC	AUG 03 2001
SECRETARY	8/7/01	E.C.

DOCKETED	DATE	INITIAL
COMPUTER	PC	JUL 31 2001
SECRETARY		

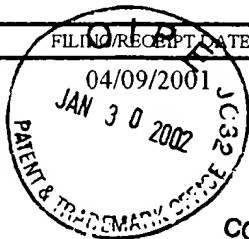


## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/829,091	04/09/2001 JAN 30 2002	Paul J. Rankin	PHGB 0000

Jack E. Haken  
U.S. Philips Corporation  
580 White Plains Road  
Tarrytown, NY 10591

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CONFIRMATION NO. 1787

## FORMALITIES LETTER



\*OC000000006148662\*

Date Mailed: 06/05/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

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DOCKETED	DATE	INITIAL
COMPUTER	PC JUN 08 2001	
SECRETARY	6/15/01	E.C.
ATTORNEY		

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

PAUL J. RANKIN

Serial No. 09/829,091

Filed: APRIL 9, 2000

Title: MESSAGE DELIVERY SYSTEM

Commissioner for Patents, Washington, D.C. 20231

ATTENTION: APPLICATION DIVISION

Atty. Docket

PHGB 000049

Group Art Unit:

Examiner:

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RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF APPLICATION

**RECEIVED**

**MAR 12 2002**

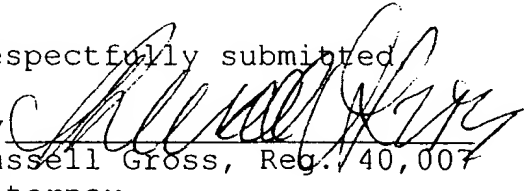
**Technology Center 2100**

Sir:

In response to the NOTICE TO FILE MISSING PARTS OF APPLICATION mailed on June 5, 2001, enclosed is a Declaration, properly signed by the Applicant(s) and referring to the above case by its Serial Number and filing date, in compliance with 37 CFR 1.63, and a copy of the Notice. Accordingly, the above-identified patent application is now complete.

Please charge Deposit Account No. 14-1270 in the amount of \$130.00 for the surcharge for filing the Declaration on a date later than the filing date of the application, as set forth in 37 CFR 1.16(e).

Respectfully submitted

By   
Russell Gross, Reg. 40,007  
Attorney  
(914) 333-9631

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited this date with the United States Postal Service as first-class mail in an envelope addressed to

COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

On

July 31, 2001

By

Elena Chapa

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**PC JUL 31 2001**

DOCKET NO. GB 000049 DIV. GR05 SER. NO. 09/829,091

JAN 3 0 2002

PLEASE DATE STAMP AND RETURN TO  
ACKNOWLEDGE RECEIPT OF NOTED DOCUMENTS

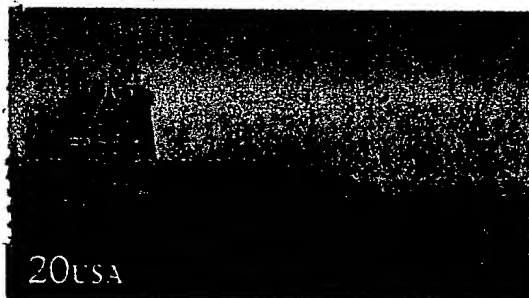
*Response to Notice Missing Parts*

Application.....	<input type="checkbox"/>	Amendment.....	<input type="checkbox"/>
_____ Pages of		Issue Fee.....	<input type="checkbox"/>
spec., claims & abs.		Notice of Appeal....	<input type="checkbox"/>
Con. Doc.....	<input type="checkbox"/>	Extension.....	<input type="checkbox"/>
Drawings	Inf. <input type="checkbox"/>	Mailing Cert.....	<input checked="" type="checkbox"/>
No. Sh.....	For. <input type="checkbox"/>	Assignment.....	<input type="checkbox"/>
Power of Att.....	<input type="checkbox"/>	Decl. - signed .....	<input checked="" type="checkbox"/>
MLG. Date <i>July 31, 2001</i>		- unsigned ...	<input type="checkbox"/>

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US Philips Corporation  
580 White Plains Road  
Tarrytown, NY 10591-5190



2001 AUG - 9 PM 12:05

U.S. PHILIPS CORPORATION  
PATENT DEPARTMENT  
580 White Plains Road  
Tarrytown, N.Y. 10591-5190

0531/5430

